

**IN THE DISTRICT COURT OF GRADY COUNTY
STATE OF OKLAHOMA**

COREY MERRITT,

Plaintiff,

vs.

**BRAINERD CHEMICAL
COMPANY, INC.,** a domestic for
profit business corporation,

Defendant.

FILED IN DISTRICT COURT
Grady County, Oklahoma

SEP 02 2016

LISA HANNAH, Court Clerk
By Deputy

Case No. **CJ-2016-196**

PETITION

COMES NOW Plaintiff, Corey Merritt, for his cause of action against Defendant, Brainerd Chemical Company, Inc., a domestic for profit business corporation, states as follows:

THE PARTIES

1. Plaintiff, Corey Merritt, is a citizen and resident of Grady County, Oklahoma.
2. Defendant, Brainerd Chemicals, Inc., is a domestic for profit business corporation conducting business in Grady County, Oklahoma.

JURISDICTION AND VENUE

3. This is an action arising from Defendant's conduct, which includes, but is not limited to, the wrongful termination of the Plaintiff.
4. The claims at issue herein arose in Grady County, Oklahoma.

5. Because both parties are citizens of Grady County and the claims at issue herein arose in Grady County, this Court is a proper venue.

THE CAUSE OF ACTION

6. Plaintiff was hired by Defendant on or about September 30, 2013, as a DOT Driver.
7. Plaintiff filed an EEOC Charge of Discrimination on or about April 28, 2015.
8. Defendant resolved Plaintiff's EEOC Charge of Discrimination complaints on or about June 5, 2015.
9. Defendant terminated Plaintiff on or about July 23, 2015.
10. Defendant terminated Plaintiff because Plaintiff filed an EEOC Charge of Discrimination.
11. Plaintiff has satisfied all procedural prerequisites prior to the filing of this lawsuit.

**CAUSE OF ACTION: RETALIATION IN VIOLATION OF
TITLE VII OF THE CIVIL RIGHTS ACT**

12. Plaintiff incorporates as if fully restated all of the allegations previously written.
13. Plaintiff engaged in or was engaging in an activity protected under federal law, that is filing a charge of discrimination alleging disability discrimination and a failure to accommodate.
14. Defendant subjected the Plaintiff to an adverse employment action, that is terminating the Plaintiff on or about July 23, 2015.
15. Plaintiff was subjected to the adverse employment action because of his filing of a charge of discrimination with the EEOC.

CAUSATION OF PLAINTIFF'S DAMAGES

16. As a direct and proximate result of the Defendants' actions, Plaintiff has suffered damages described hereafter.

DAMAGES SUSTAINED BY PLAINTIFF

17. Plaintiff has suffered lost earnings, past and future, and/or impairment of power to earn money; physical pain, emotional distress and humiliation, past and future; and other compensatory damages.

18. Defendant's actions were willful, wanton, or, at the least, in reckless disregard of Plaintiff's rights; therefore, Plaintiff is entitled to punitive damages.

DEMAND FOR JURY TRIAL

19. The Plaintiff demands a jury trial for all issues of fact presented by this action.

RESERVATION OF ADDITIONAL CLAIMS

20. The Plaintiff reserves the right to plead further upon completion of discovery to state additional claims and to name additional parties to this action.

WHEREFORE, Plaintiff prays for judgment against the Defendant, in a sum excess of the amount required for diversity jurisdiction under 28 U.S.C. § 1332 (currently \$75,000.00) plus interest, costs, attorney's fees, punitive damages, and all such other and further relief as to which Plaintiff may be entitled.

Respectfully submitted,



Chris Hammons, OBA #20233
LAIRD HAMMONS LAIRD, PLLC
1332 S.W. 89th St.
Oklahoma City, OK 73159
Telephone: 405.703.4567
Facsimile: 405.703.4061
E-mail: Chris@lhllaw.com
ATTORNEY FOR PLAINTIFF

ATTORNEY LIEN CLAIMED